

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

In Re: Jeffrey Young, Jr.

No. 1:17-CV-01200-STA

**GOVERNMENT'S MOTION FOR ENLARGEMENT
OF TIME TO RESPOND**

COMES NOW the United States of America, by and through D. Michael Dunavant, United States Attorney, and James W. Powell, Assistant United States Attorney for the Western District of Tennessee, and moves this Court for additional time to respond to the motion for return of property by petitioner, Jeffrey Young, Jr. (Motion, RE 1, Page ID # 1). In support of its motion, the Government states:

1. On October 30, 2017, Petitioner filed his motion for return of property. (Motion, RE 1, Page ID # 1).
2. On November 21, 2017, the Government filed its motion for enlargement of time to respond, stating in part “[d]ue to time constraints, the undersigned has not consulted with counsel for the petitioner.” (Motion, RE 5, Page ID # 6).
3. On November 27, 2017, this Court entered its order denying the government’s motion and setting forth as its reason the government’s “fail[ure] to comply with Local Rule 7.2(a)(1)(B), which requires a party to consult with the opposing party about the proposed motion.” (Order, RE 6, Page ID # 8).
4. On November 27, 2017, at the request of Assistant U. S. Attorney Beth

Boswell, undersigned counsel contacted Claiborne Ferguson, counsel for petitioner, and consulted with him about the proposed motion for enlargement of time. Mr. Ferguson advised that he had originally made his request for return of property to Ms. Boswell in April of 2017, and that at this time he takes no position regarding the government's request for enlargement of time.

5. To date, due to continuing health issues, which have prevented her from working, Ms. Boswell has been unable to respond to petitioner's motion.

WHEREFORE, PREMISES CONSIDERED, the government renews its request for an additional 14 days to file its response to petitioner's motion for return of property.

Respectfully submitted,

D. MICHAEL DUNAVANT
United States Attorney

By: s/ James W. Powell
JAMES W. POWELL, TNBPR # 09614
Assistant United States Attorney
109 South Highland Avenue, Suite 300
Jackson, Tennessee 38301
(731) 422-6220

CERTIFICATE OF CONSULTATION

I, James W. Powell, do hereby certify and affirm that, after consultation between the parties to the controversy, we are unable to reach an accord as to the issue presented herein and the requested relief.

This the 27th day of November, 2017.

s/ James W. Powell
JAMES W. POWELL

Assistant United States Attorney

CERTIFICATE OF SERVICE

I, James W. Powell, do hereby certify that I have this date caused to be delivered a true and exact copy of the foregoing to opposing counsel by way of the district court clerk's electronic case filing system.

This the 27th day of November, 2017.

s/ *James W. Powell*
JAMES W. POWELL
Assistant United States Attorney